

1 THE HONORABLE RICARDO S. MARTINEZ
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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

5 UNITED STATES OF AMERICA,)
6 Plaintiff,) No. CR06-159RSM
7 vs.)
8 BERNARD R. CASEY,) ORDER GRANTING DEFENDANT'S
9) MOTION TO CONTINUE TRIAL
Defendant.) AND PRETRIAL MOTIONS
10) DEADLINE

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12 Before this court is the defendant's motion for
continuance of the trial which is presently scheduled to
13 commence on July 18, 2006. The defendant requires additional
14 time so that further work may be done on pretrial motions; so
that witnesses may be located, interviewed and secured for
15 testimony at trial; and that defendant may complete trial
16 preparation. The government has filed no opposition or
17 objection to the present motion.

18 That the court finds, after a consideration of all
relevant information and the circumstances of this case, that
19 without this continuance the defendant will be prejudiced and
20 the ability to properly prepare for trial would be impaired.
Failure to grant a continuance under these circumstances would
21 result in a miscarriage of justice. The ends of justice would
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ORDER GRANTING DEFENDANT'S MOTION
TO CONTINUE TRIAL DATE AND
PRETRIAL MOTIONS DEADLINE - 1

LAW OFFICES OF
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1008 SOUTH YAKIMA AVENUE, SUITE 302
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1 best be served by the granting of the motion for continuance.
2 The ends of justice outweigh the best interests of the public
3 and the defendant in having the matter brought to trial
4 sooner. For these reasons, the court finds the defendant's
5 motion for continuance should be granted. The trial scheduled
6 for July 18, 2006 is VACATED. Trial shall be RESCHEDULED TO
7 October 23, 2006 in Seattle, Washington. It is further
8 ORDERED that pretrial motions cutoff date of June 15, 2006 is
9 EXTENDED to August 11, 2006.

10 Any and all period of delay resulting from the
11 granting of this continuance, from the date of the filing of
12 the defendant's motion until the date of the rescheduled
13 trial, shall be excludable time pursuant to 18 U.S.C. §§
14 3161(h)(1)(F) and (h)(8)(A).

15 IT IS SO ORDERED.

16 DONE IN OPEN COURT this 16th day of June, 2006.

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18 
19 RICARDO S. MARTINEZ
20 UNITED STATES DISTRICT JUDGE

21 Presented by:

22 LAW OFFICES OF MONTE E.

23 HESTER, INC., P.S.

24 Attorneys for Defendant

25 By: _____/s/_____

Wayne C. Fricke

WSB #16550

ORDER GRANTING DEFENDANT'S MOTION
TO CONTINUE TRIAL DATE AND
PRETRIAL MOTIONS DEADLINE - 2

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